IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

WP(C).No. 34120 of 2006(J)

PETITIONER:

C.BASHEER, CHARIYANDY HOUSE,
KATALOOR P.O., KOYILANDY.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:

THE REGIONAL TRANSPORT OFFICER/
THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, KANNUR.

BY GOVERNMENT PLEADER SRI. M.K. PUSHPALATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 34120/2006 J

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE PROCEEDINGS SIGNED AS ON 24/7/2001.

EXT.P2. COPY OF THE OBJECTION DT. 25/11/2006.

[True Copy]

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K.BALAKRISHNAN NAIR, J.

WP(C).No.34120 of 2006-J

Dated this the 13th day of February, 2007.

JUDGMENT

The petitioner is having a regular permit on the route Kozhikode-Thaliparamba, granted by the R.T.A., Vadakara. Ext.P1 is the time schedule of the said service. Recently, while settling the time schedule of Stage Carriage KL-13-L 6169 on the route Kasargod-Guruvayur, the petitioner submits, his time schedule was also modified by the respondent Secretary, R.T.A., Kannur. It is submitted that the respondent has no jurisdiction to modify his time schedule. So, he preferred Ext.P2 representation before the respondent on 25-11-2006 and thereafter this writ petition is filed.

2. If the petitioner is aggrieved by any modification of his time schedule, his remedy is to move the State Transport Appellate Tribunal in revision. The Secretary, R.T.A. is not competent to review his own order. Accordingly, the writ petition is closed without prejudice to the contentions of the petitioner and his right to move S.T.A.T. in revision. The period this writ petition was pending before this court shall be excluded while computing the period of limitation in invoking the revisional remedy.

K.BALAKRISHNAN NAIR,
JUDGE.

MS